

FILED
CITY CLERK

ORDINANCE NO 2009-03

2009 MAR 26 P 3: 33

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN CINDY MURRAY
REAL ESTATE, FROM R2 TO NBU**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
TIPPECANOE COUNTY, INDIANA:**

Section I. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to wit:

(See legal description attached hereto)

Section II. The real estate described above should be and the same is hereby rezoned from R2 to NBU.

Section III. This ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA THIS 6 DAY OF April 2009.

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

Melissa Weast-Williamson
~~Steven P. Meyer, Presiding Officer~~
Melissa Weast-Williamson, President Pro-tem

Presented by me to the Mayor of the City of Lafayette, Indiana, on the 6 day of
April, 2009

Cindy Murray
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the 6 day of April 2009.

Tony Roswarski
Tony Roswarski, Mayor

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

Exhibit A

A part of the East half of the southeast quarter of Section Twenty-one (21), Township Twenty-three (23) North, Range Four (4) West, Fairfield Township, Tippecanoe County, Indiana, more completely described as follows, to wit:

Beginning at a hinge nail (stone) at the intersection of the East line of the Southeast Quarter of Section 21-23-4 and the centerline of Rossville Road (Cason Street) said point being a distance of 1066.56 feet (64.64 rods) North of the Southeast corner of aforesaid quarter section; thence North $83^{\circ} 30'$ West along the centerline of Rossville Road (Cason Street) a distance of 99.40 feet to a hinge nail; thence North $1^{\circ} 51'$ West and parallel to the East line of aforesaid quarter section a distance of 140.10 feet to an iron pipe; thence $88^{\circ} 58'$ East a distance of 98.45 feet to an iron pipe on the East line of aforesaid quarter section; thence South $1^{\circ} 51'$ East along aforesaid East line a distance of 153.00 feet to the place of beginning, containing 0.331 acres, more or less.

EXCEPT: A part of the East half of the Southeast Quarter of Section Twenty-one (21), Township Twenty-three (23) North, Range Four (4) West, Fairfield Township, Tippecanoe County, Indiana, more completely described as follow, to-wit:

Beginning at a hinge nail on the centerline of Rossville Road (Cason Street) said point being a distance of 1066.56 (64.64 rods) North of the South East corner of aforesaid quarter section and North $83^{\circ}-30'$ West a distance of 84.30 feet for the East line of the aforesaid quarter section; thence North $83^{\circ}-30'$ West along aforesaid centerline a distance of 15.10 feet to a hinge nail; thence North $1^{\circ}-51'$ West and parallel to the aforesaid East line a distance of 140.10 feet to an iron pipe; thence North $88^{\circ}-58'$ East a distance of 15.00 feet to an iron pipe; thence South $1^{\circ}-51'$ East and parallel to a foresaid East line of 142.10 feet to the place of beginning, containing 0.048 acre, more or less.

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

March 19, 2009
Ref. No.: 09-077

Lafayette City Council
20 North 6th Street
Lafayette, IN 47901

CERTIFICATION

RE: **Z-2398 DIANE D. BAGNOLI (R2 to NBU):**

Petitioner is requesting rezoning of the northwest corner of Cason and N. 26th Streets to expand an existing dentist's office, located at 500 N. 26th Street, Lafayette, Fairfield 21 (SE) 23-4.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 18, 2009 the Area Plan Commission of Tippecanoe County voted 11 yes - 0 no on the motion to rezone the subject real estate from R2 to NBU. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette City Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette City Council at their April 6, 2009 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Diane Bagnoli
Union Lake Holdings
Joseph Bumbleburg
Ken Brown, Zoning Enforcement Officer